

Appl. No. 10/708,406
Response Dated January 26, 2006
Reply to Office Action Dated October 26, 2005

REMARKS/ARGUMENTS

Please reconsider the application in view of the above amendments and the following remarks. Claims 1-35 remain in this application.

Rejection(s) under 35 U.S.C § 102

Claims 1-9, 15-27, 29, 32-35 stand rejected under 35 U.S.C. § 102 as being unpatentable over Milheim. This rejection is respectfully traversed.

The claims recite techniques for drilling at least one wellbore comprising, *inter alia*, automatically adjusting the wellsite setup at the offsite control center based on an analysis of the wellsite parameters. No such automatic wellsite adjustment is disclosed by the art of record. Moreover, no such automatic wellsite adjustment at the offsite control center is disclosed by the art of record.

Millheim teaches a method of drilling a well utilizing predictive simulation with real time data. The Examiner suggests that Millheim teaches "automatically or manually adjusting the wellsite setup from the offsite center 20 or surface control unit 18 based on the analysis of the wellsite parameter (col. 10, line 54)." *See Office Action, p. 2.* The passage cited by the Examiner at Col. 10, line 54 indicates that the engineers at the monitoring facility are in immediate communication with the well site (face to face), but fails to disclose any automated action relating thereto. Applicant can find no disclosure in Millheim that suggests automatically adjusting the wellsite setup at the offsite control center based on an analysis of the wellsite parameters.

In fact, Millheim states that "the decisions effecting the drilling operation of the well are made at the wellsite by the engineer" (*Col. 10, lines 34-36*), and that the engineers at the

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monitoring facility can very closely monitor the well and can help make decisions (*Col. 10, lines 41-43*). There is no indication that the engineers at the monitoring facility make any type of automatic change based on their analysis of any wellsite parameters. In fact, Millheim suggests that the engineers must make a plan to correct the problem, and determine whether or not the simulated corrective action will solve the problem. *See Col. 11, lines 1-10*. Millheim, therefore, teaches away from automatically adjusting the wellsite setup, and/or doing so from the offsite control center. Thus, Millheim fails to anticipate or render obvious any of the claims.

In view of the above, the cited art fails to anticipate the claimed invention. Applicant, therefore, requests withdrawal of the rejection under 35 U.S.C. § 102.

Rejection(s) under 35 U.S.C § 103

Claims 10-14, 28, 30, 31 stand rejected under 35 U.S.C. § 102 as being unpatentable over various combinations of Millheim in view of Tubel or Alvarado. This rejection is respectfully traversed.

Applicant submits that the Examiner has failed to present a prima facie case of obviousness. As indicated above, Millheim, the primary reference, fails to teach or teaches away from (inter alia) automatically adjusting the wellsite setup at the offsite control center based on an analysis of the wellsite parameters.

Tubel fails to provide the deficiencies of Millheim. Tubel discloses a system for communicating between completed zones in a production well. The production well, therefore, has already been drilled and cased, and no drilling is presently occurring. Thus, Tubel fails to teach the missing limitations. Moreover, there is no motivation to combined Tubel with

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Millheim, and such a combination would fail to provide the missing limitations. Thus, Tubel alone or in combination with Millheim fails to support a finding of obviousness.

Alvarado fails to provide the deficiencies of Millheim and/or Tubel. Alvarado discloses techniques for transmitting acquired data in near real time at a remote location. Alvarado has no disclosure relating to automatically adjusting a wellsite setup, or making adjustments from an offsite center. In fact, Alvarado fails to even contemplate any type of communication or action from the offsite center to the wellsite. Moreover, Alvarado relates to a wireline tool, not a drilling tool. Thus, Alvarado fails to teach the missing limitations. Moreover, there is no motivation to combined Alvarado with Millheim and/or Tubel, and such a combination would fail to provide the missing limitations. Thus, Alvarado alone or in combination with Millheim and/or Tubel fails to support a finding of obviousness.

For at least these reasons, Applicant submits that the Examiner has failed to establish a prima facie case of obviousness under 35 U.S.C. § 103. Applicant, therefore, respectfully requests withdrawal of the rejection of the claims.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below.

This paper is submitted in response to the Office Action dated October 26, 2005, for which the three-month date for response is January 26, 2006. Please apply any charges not covered or any credits, to Deposit Account 19-0610 (Reference Number 19.0372).

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Respectfully submitted,

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